

SCHIFF HARDIN LLP

A Partnership Including Professional Corporations
 6600 Sears Tower, Chicago, Illinois 60606-6473 • (312) 258-5500
 Facsimile (312) 258-5700

ATTORNEY NO.:	<u>1687</u>
CLIENT/MATTER NO.:	<u>26965-3021</u>
DATE:	<u>October 19, 2006</u>

FACSIMILE TRANSMITTAL SHEET**TO THE FOLLOWING:**

Name	Company	Fax Number	Phone Number
EXAMINER DANIEL SWERDLOW	United States Patent Office Group 2615	(571)2738300	

FROM: Steven H. Noll DIRECT DIAL NO.: (312) 258-5790

Transmission consists of cover sheet plus 7 page(s).

If there are any problems with this transmission, please call Donna Morgan at (312) 258-4972.

COMMENTS:

Tom Weldner, "FEEDBACK COMPENSATION METHOD AND CIRCUIT FOR AN ACOUSTIC AMPLIFICATION SYSTEM, AND HEARING AID DEVICE EMPLOYING SAME" Filed September 10, 2003, USSN 10/659,230, Our Case No. P03,0361 (26965-3021)

RESPONSE UNDER 37 C.F.R. § 1.116 TO THE JULY 19, 2006 OFFICE ACTION

IMPORTANT - THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU

(For Internal Use Only) PLEASE RETURN THIS DOCUMENT TO:

Name: Steven H. Noll
 SENT OUT:
 Date: _____ Time: _____ A.M./P.M.
 By: _____
 CHIN 4237558.1

Transmittal Problems:

<input type="checkbox"/> Constant Busy	Time _____
<input type="checkbox"/> Constant Ringing	Time _____
<input type="checkbox"/> Bad Line	Time _____
<input type="checkbox"/> Equipment Problem	Time _____

TELEPHONE (312) 258-5500

SCHIFF, HARDIN LLP

RECEIVED
CENTRAL FAX CENTER

OCT. 19 2006

IN RE APPLICATION OF: Tom Weidner
 SERIAL NO.: 10/659,230
 FILED: September 10, 2003
 TITLE: FEEDBACK COMPENSATION METHOD AND CIRCUIT FOR AN ACOUSTIC AMPLIFICATION SYSTEM, AND HEARING AID DEVICE EMPLOYING SAME

PATENT DEPARTMENT

6600 SEARS TOWER

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606

GROUP ART UNIT: 2615

EXAMINER: Daniel Swerdlow

CONFIRMATION NO.: 3480

RESPONSE UNDER 37 C.F.R. § 1.116 TO THE JULY 19, 2006 OFFICE ACTION

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

 No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*69	MINUS	69	X	() X 25.00 () X 50.00	
INDEP. CLAIMS	*3	MINUS	3	X	() X 100.00 () X 200.00	
Application amended to contain any multiple dependent claims not previously paid for.			() YES () NO		() \$180.00 () \$360.00 ONE TIME	
			TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		\$0.00	

If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.

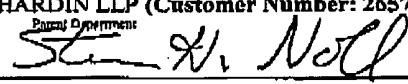
A check in the amount of \$_____ is attached.

A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached.

A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.
When phoning re this application, please call (312) 258-5500.

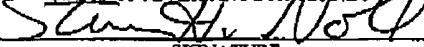
SCHIFF, HARDIN LLP (Customer Number: 26574)

BY  (28,982)

I hereby certify this correspondence is being transmitted by facsimile on October 19, 2006 by transmittal to telefax no. (571) 273-8300

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY



SIGNATURE

October 19, 2006

DATE

CHI\4716312.1

TELEPHONE (312) 258-5500

SCHIFF, HARDIN LLP

**RECEIVED
CENTRAL FAX CENTER**

OCT 19 2006

IN RE APPLICATION OF: Tom Weidner CHICAGO, ILLINOIS 60606
SERIAL NO.: 10/659,230 GROUP ART UNIT: 2615
FILED: September 10, 2003 EXAMINER: Daniel Swerdlow
TITLE: FEEDBACK COMPENSATION METHOD AND CIRCUIT FOR AN ACOUSTIC AMPLIFICATION
SYSTEM, AND HEARING AID DEVICE EMPLOYING SAME CONFIRMATION NO.: 3480

RESPONSE UNDER 37 C.F.R. § 1.116 TO THE JULY 19, 2006 OFFICE ACTION

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
SIR:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.

NO additional fees

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*69	MINUS	69	X	() X 25.00 () X 50.00	
INDEP. CLAIMS	*3	MINUS	3	X	() X 100.00 () X 200.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$180.00 () \$360.00 ONE TIME	
			TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		\$0.00	

If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

The Highest Number Previously Filed IN THIS SPACE is less than 20 write "20" in this space.

Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.

A check in the amount of \$_____ is attached.

A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached

A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.

When phoning re this application, please call (312) 238-5500.

SCHIFF, HARDIN LLP (Customer Number: 26574)

Parent Department
BY *Stan H. Noll* (28-982)

I hereby certify this correspondence is being transmitted by facsimile on October 19, 2006 by transmittal to telefax no. (571) 273-8300

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

三

SIGNATURE

Page 19

CH114716312.1

PAGE 2/8 * RCV'D AT 10/19/2008 1:43:50 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/28 * DNI'S:2738300 * CSID: * DURATION (mm:ss):02:42

BEST AVAILABLE COPY

**RECEIVED
CENTRAL FAX CENTER**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT. 19 2006

RESPONSE UNDER 37 C.F.R. § 1.116 TO THE JULY 19, 2006 OFFICE ACTION

APPLICANT: Tom Weidner GROUP ART UNIT: 2615
SERIAL NO.: 10/659,230 EXAMINER: Daniel Swerdlow
FILED: September 10, 2003 CONFIRMATION NO.: 3480
TITLE: FEEDBACK COMPENSATION METHOD AND CIRCUIT FOR
AN ACOUSTIC AMPLIFICATION SYSTEM, AND HEARING AID
DEVICE EMPLOYING SAME

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

Applicant and his counsel have carefully reviewed the Final Rejection dated July 19, 2006, but believe the claims in their present form are patentable over the teachings of the references relied upon by the Examiner. Reconsideration of the application in view of the following arguments in support of patentability is therefore respectfully requested.

R E M A R K S

In the Office Action dated July 19, 2006, claims 1, 10-12, 14-36, 45-47 and 49-69 were rejected under 35 U.S.C. §102(e) as being anticipated by Kates '986. Claims 1-9 and 36-34 were rejected under 35 U.S.C. §102(b) as being anticipated by Kates '884. Claims 13 and 48 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kates '986 in view of Weidner.

Applicant notes with appreciation the interview courteously afforded the undersigned representative of the Applicant on October 18.2 006. The discussion at the interview focused on the Kates '986 reference, namely whether the frozen filter